

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	
v.)	Civil Action No. 04-10767-RWZ
)	
67 RUSH STREET, SOMERVILLE,)	
MASSACHUSETTS,)	
Defendant.)	

UNITED STATES' MOTION FOR RELEASE OF LIS PENDENS

The United States of America, by its attorney, Michael J. Sullivan, United States Attorney for the District of Massachusetts, hereby moves that this Court authorize the United States to release the Lis Pendens recorded at the Middlesex South District Registry of Deeds against the real property, including all buildings and appurtenances, located at 67 Rush Street, Somerville, Massachusetts (the "Defendant Property").

As grounds for this motion, the United States submits that the government has moved to dismiss the Verified Complaint for Forfeiture in Rem, which the District Court endorsed on or about August 20, 2004.

WHEREFORE, the United States requests that the Court authorize the Lis Pendens to be released. A proposed Release of Lis Pendens is submitted herewith for consideration by the Court.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: _____
Shelbey D. Wright
Assistant U.S. Attorney
1 Courthouse Way
Suite 9200
Boston, MA 02210
(617) 748-3100

Dated: October 1, 2004

CERTIFICATE OF SERVICE

I, Shelbey D. Wright, Assistant U.S. Attorney, hereby certify that a true copy of the foregoing Motion for Release of Lis Pendens, as well as the proposed Release of Lis Pendens, was served upon Matthew D. Thompson, Esquire, and Thomas J. Butters, Esquire, Butters Brazilian LLP, One Exeter Plaza, Boston, Massachusetts 02116, as counsel for John Cardillo, Trustee of Giovanni Realty Trust, and upon William Goldberg, Esquire, 620 Massachusetts Avenue, Cambridge, Massachusetts 02139, as counsel for Manjit Verma, by first class mail, postage prepaid.

Shelbey D. Wright
Assistant U.S. Attorney

Dated: October 1, 2004

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